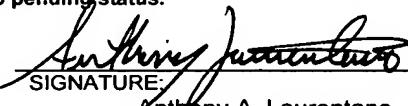


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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER TOW-099US U.S. APPLICATION NO. 10/753143 NEW APPLICATION
INTERNATIONAL APPLICATION NO. PCT/JP03/13756	INTERNATIONAL FILING DATE 28 October 2003	PRIORITY DATE CLAIMED 28 October 2002
TITLE OF INVENTION FUEL CELL		
APPLICANT(S) FOR DO/EO/US Seiji SUGIURA et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). a. <input checked="" type="checkbox"/> is attached hereto (47 sheets). b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)) (Executed) (4 sheets).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (2 sheets) w/PTO/SB/08 (1 sheet) and 5 Ref.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment (9 sheets).</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76 (4 sheets).</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Designation of Record Attorney (2 sheets); PCT International Published Application (with International Search Report) (WO 04/038841 A1) (39 sheets); PCT International Preliminary Examination Report (6 sheets); Certificate of express mail; Return Postcard.</p>		

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/533143	PCT/JP03/13756	TOW-099US
The following fees have been submitted		CALCULATIONS PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee \$300		\$ 300.00
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200		
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500		\$ 200.00
TOTAL OF 21, 22 and 23 =		\$ 1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	/50 =	x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		\$
CLAIMS NUMBER FILED NUMBER EXTRA RATE		
Total claims	11 - 20 =	x \$ 0.00
Independent claims	2 - 3 =	x \$ 0.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)		+
TOTAL OF ABOVE CALCULATIONS =		\$ 1,000.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		\$
SUBTOTAL =		\$ 1,000.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		+
TOTAL NATIONAL FEE =		\$ 1,000.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+
TOTAL FEES ENCLOSED =		\$ 1,040.00
		Amount to be refunded: \$
		Amount to be charged: \$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>12-0080</u> in the amount of \$ <u>1,040.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>12-0080</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>		
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.		
SEND ALL CORRESPONDENCE TO:		
 SIGNATURE: <u>Anthony A. Laurentano</u> NAME: <u>Anthony A. Laurentano</u>		
Anthony A. Laurentano LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400 Date: April 27, 2005 CUSTOMER NUMBER: 00959		
38,220 REGISTRATION NUMBER		

10/533143

JC20 Rec'd PCT/PTO 27 APR 2005

Application No. (if known): NEW APPLICATION

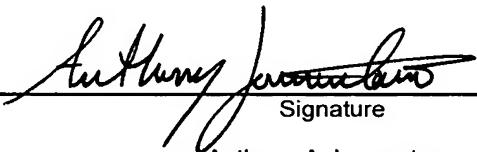
Attorney Docket No.: TOW-099US

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 553 866 864 US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on 27 April 2005
Date



Signature

Anthony A. Laurentano
Typed or printed name of person signing Certificate

38,220 _____ (617) 227-7400
Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter (2 sheets in duplicate);
Preliminary Amendment (9 sheets);
Executed Declaration, Petition and Power of Attorney (6 sheets);
Designation of Record Attorney (2 sheets);
Assignment (3 sheets) with Recordation form for Assignment (1 sheet);
Information Disclosure Statement (2 sheets) w/ Form PTO/SB/08 (1 sheet) and 5 ref.;
PCT International Published Application (WO 04/038841 A1);
(with International Search Report attached) (39 sheets);
English Translation of Application (47 sheets);
PCT International Preliminary Examination Report (6 sheets);
Application Data Sheet (4 sheets);
Certificate of Express Mailing (1 sheet); and Return Postcard.